

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:)
)
Andrew M. Plummer and Deana M. Plummer,) Case No. 24-10173-JCM
) Chapter 13
Debtors)

STIPULATED ORDER MODIFYING PLAN

WHEREAS, this matter is being presented to the Court regarding

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]:

- a motion to dismiss case or certificate of default requesting dismissal
- a plan modification sought by:
- a motion to lift stay
as to creditor Toyota Motor Credit Corporation
- Other:

WHEREAS, the parties having agreed to settle the matter above conditioned on the terms herein, based on the records of the Court, and the Court being otherwise sufficiently advised in the premises; and there being no adverse impact upon other parties by way of this action, thus no notice is required to be given; now therefore

IT IS HEREBY ORDERED that the

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

- Chapter 13 Plan dated April 9, 2024
- Amended Chapter 13 Plan dated

is modified as follows:

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

- Debtors' Plan payments shall be changed from \$ 885.00 to

\$ 1,182.00 per month, effective September, 2024; and/or the Plan term shall be changed from months to months.

- In the event that Debtors fail to make any future Chapter 13 Plan payments, the Trustee or a party in interest may file with the Court and serve upon Debtors and Debtors' Counsel a notice of default advising the Debtors that they have 30 days from the service of the notice in which to cure any and all defaults in payments. If Debtors fail to cure the defaults in payments after having been provided notice under the provision of this Stipulated Order, then the Trustee or a party in interest may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make Plan payments, and the proceedings or case may thereafter be dismissed without prejudice and without further hearing or notice.
- Debtors shall file and serve on or before .
- If any of the foregoing is not completed by the date specified, the case may be dismissed without prejudice without further notice or hearing upon the filing by the Trustee of an Affidavit of Non-Compliance.
- If any of the foregoing is not completed by the date specified, the automatic stay as to the property described as may be lifted without further notice or hearing upon the filing by the Creditor herein of an Affidavit of Non-Compliance.
- Other: Toyota Motor Credit Corporation shall be paid \$11,786.63 at 5.79% interest at a monthly payment to be determined by the Chapter 13 Trustee sufficient to pay in full during the Plan term. The Motion for Relief from the Automatic Stay & Co-Debtor Relief from the Automatic Stay is resolved as a result of this Order. As such, the Motion is withdrawn and the hearing scheduled for September 10, 2024 at 1:30pm is canceled.

IT IS FURTHER ORDERED that to the extent any creditor opposes the relief contained herein, such creditor must file an objection to the same within fourteen (14) days hereof. Should such an objection be timely filed, the Court shall conduct a *de novo* hearing regarding the appropriateness of this Stipulated Order. Should no objection be timely filed, this Stipulated Order shall be deemed final without further notice and/or opportunity for a hearing.

IT IS FURTHER ORDERED that in all other respects, the Plan and Order Confirming Plan shall remain in full force and effect. The filing party represents to the Court that all affected parties have been notified.

[Remainder of Page Intentionally Left Blank]

SO ORDERED, this _____ day of _____, 2024

Dated: _____

John C. Melaragno
United States Bankruptcy Judge

Stipulated by:

/s/Lauren M. Lamb
Counsel to Debtors
Lauren M. Lamb, Esquire
STEIDL & STEINBERG
28th Floor-Gulf Tower
707 Grant Street
Pittsburgh, PA 15219
(412) 391-8000
PA I. D. No. 209201
llamb@steidl-steinberg.com

Stipulated by:

/s/James Warmbrodt
Counsel to Chapter 13 Trustee

Stipulated by:

/s/Keri Ebeck
Keri Ebeck, Esquire
Counsel to affected creditor
Toyota Motor Credit Corporation

cc: All Parties in Interest to be served by Clerk